

REMARKS

The application has been amended to place the application in condition for allowance at the time of the next Official Action.

The specification is amended to include section headings.

A substitute Abstract of the Disclosure is provided on an accompanying separate sheet.

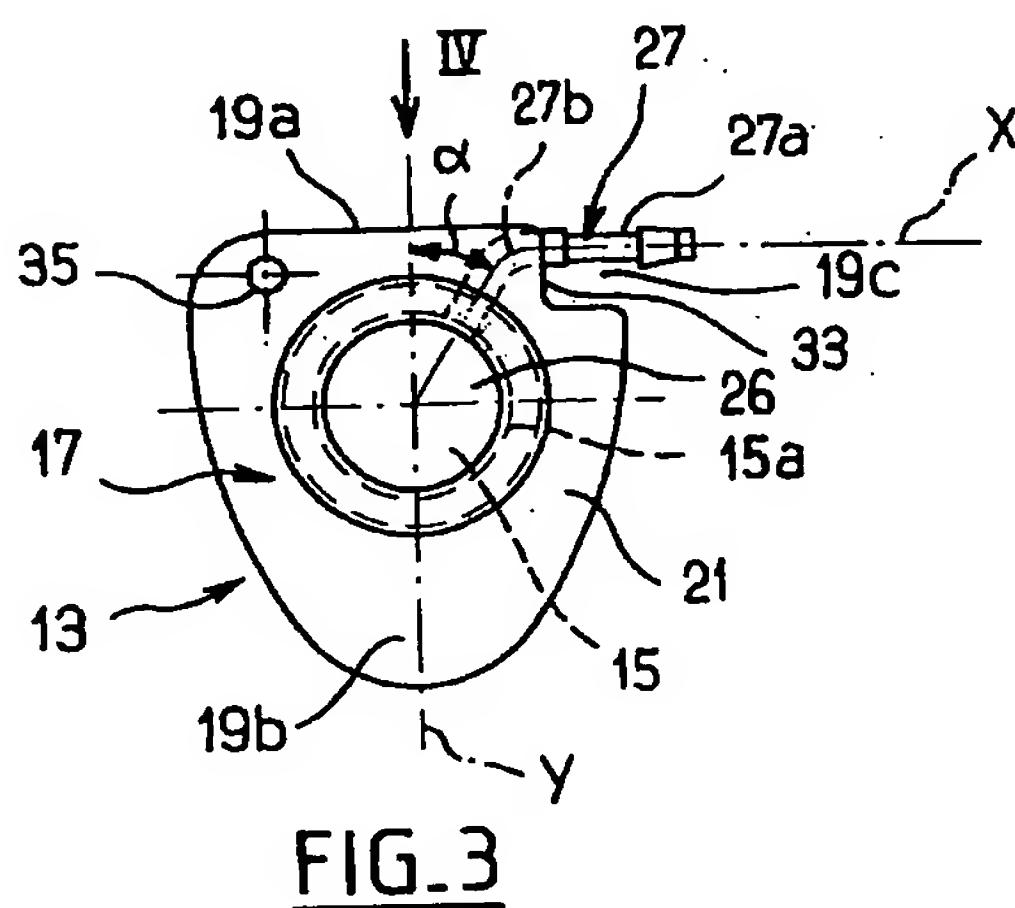
Claims 1-9 were previously pending in the application. Claims 10-15 are added. Therefore, claims 1-15 are presented for consideration.

Claims 1-9 were rejected as being anticipated by TALLARIDA et al. 6,527,754. That rejection is respectfully traversed.

Claim 1 recites that a terminal portion of the diffusion duct is located outside the casing and extends in a direction substantially parallel with the side of the triangle opposite the tapered vertex. Claim 1 is amended and further recites that the terminal portion and an adjacent portion of a catheter to be connected to the terminal portion are substantially parallel in a direction of incision made for implanting the chamber.

By way of example, as seen in Figure 3 of the present application, reproduced below, the terminal portion 27a of diffusion duct 27 is located outside of casing 17. The terminal

portion of the diffusion duct 27 extends in a direction substantially parallel with the side of the triangle opposite the tapered vertex i.e., parallel to front side 19a. The terminal portion 27a and an adjacent portion of a catheter to be connected to the terminal portion are substantially parallel with a direction of incision made for implanting the chamber. See for example Figure 2.



The Official Action offers Figures 2A through 2E of TALLARIDA as disclosing a terminal portion of a diffusion duct being parallel with the side of the triangle opposite a tapered vertex.

However, this characterization of TALLARIDA is inconsistent with the disclosure of TALLARIDA.

Figure 2B of TALLARIDA, reproduced below, shows a terminal portion 20 extending from a conical housing 12. As seen in the figure, the housing tapers towards the top of the figure. Even if this essentially teardrop-shaped chamber were to be

considered as a triangle, the side opposite the tapered end would be near exit port 18. However, as seen in Figure 2B of TALLARIDA, the portion of stem 20 that is located outside the casing extends in a direction substantially perpendicular to the side of the triangle opposite the tapered vertex. TALLARIDA does not disclose that the stem 20 is parallel to the side opposite the tapered end.

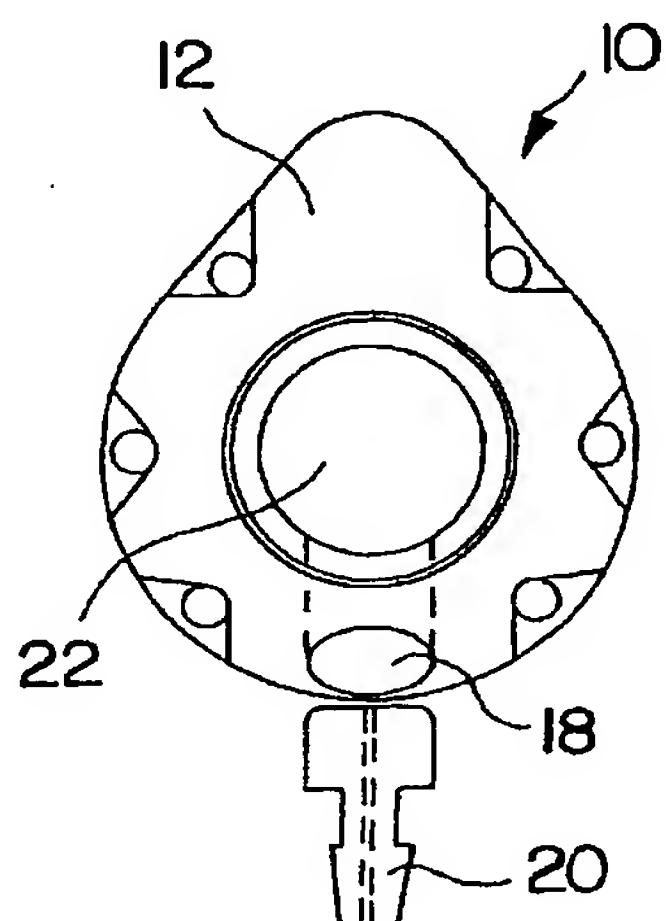


FIG. 2B

As the reference does not disclose that which is recited, the anticipation rejection is not viable. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 1-9 were rejected as anticipated by MORIUCHI 5,084,015. That rejection is respectfully traversed.

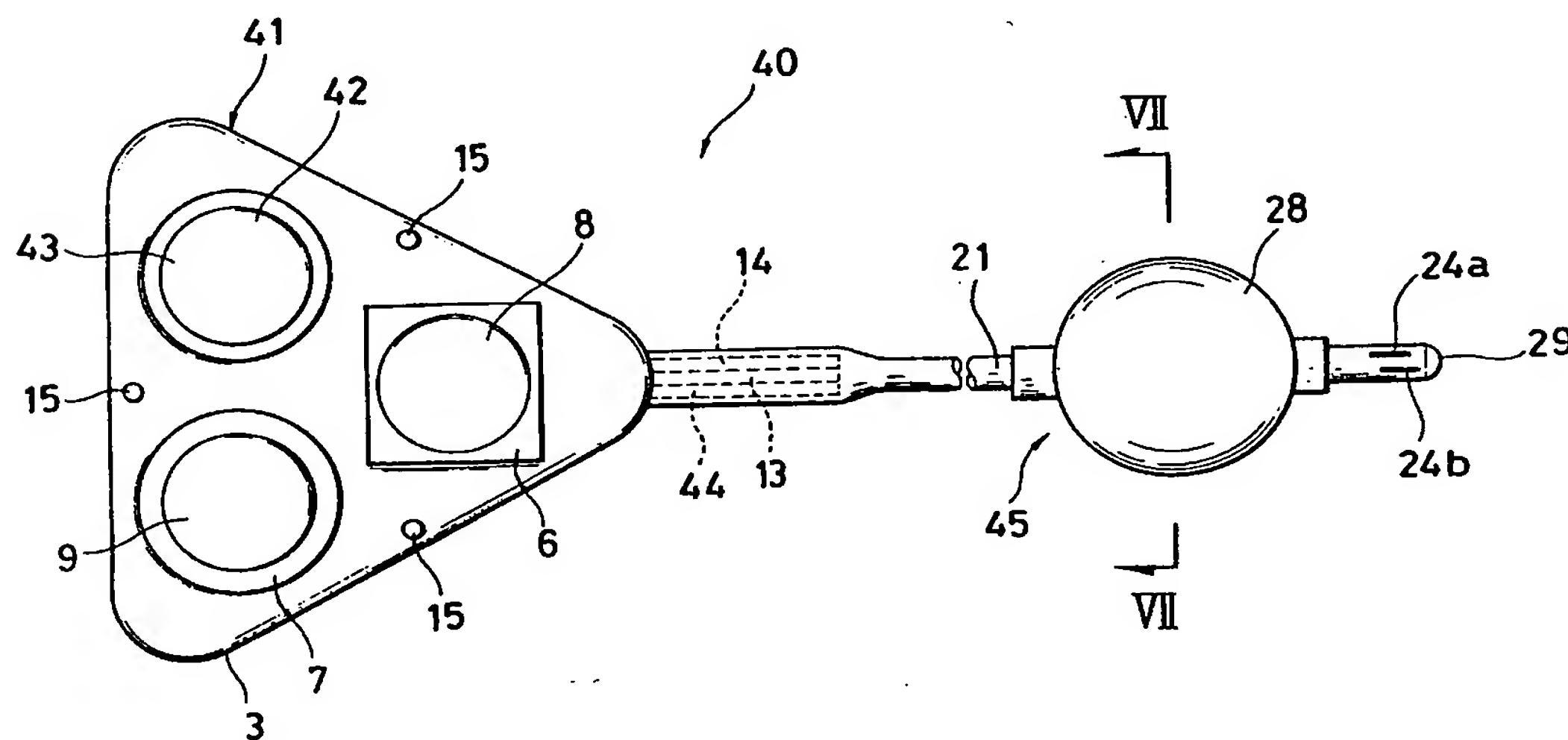
The Official Action offers Figure 6 of MORIUCHI as disclosing that a terminal portion of a diffusion duct that is

outside a casing extends in a direction substantially parallel with the side of a triangle opposite a tapered vertex.

However, this characterization of MORIUCHI is not supported by the disclosure of MORIUCHI.

Figure 6 of MORIUCHI, reproduced below, shows a triangular shaped housing 41. Outlet ports 13, 14 and 44 extend from the housing.

FIG. 6



However, as seen in the figure, these outlet ports extend from a vertex of the triangle and thus, could not extend parallel to the side of the triangle. In any event, the side opposite the tapered vertex is the leftmost vertical side of Figure 6 nearest reference numerals 9, 15 and 43. As clearly seen in the figure, outlet ports 13, 14 and 44 extend in a direction substantially perpendicular to the side of the triangle opposite to the tapered vertex.

MORIUCHI does not disclose a terminal portion of a diffusion duct located outside the casing and extending in a direction substantially parallel with the side of the triangle opposite the tapered vertex as recited.

As a result of the orientation of MORIUCHI, the connection of the catheter to the duct cannot be effected as readily and rapidly as in the recited orientation.

As the reference does not disclose that which is recited, the anticipation rejection is not viable. Reconsideration and withdrawal of the rejection are respectfully requested.

New claim 10 includes limitations similar to that of claim 1 and the analysis above regarding claim 10 is equally applicable to claim 1. Claims 11-15 depend from claim 10 and further define the invention and are also believed patentable over the cited references.

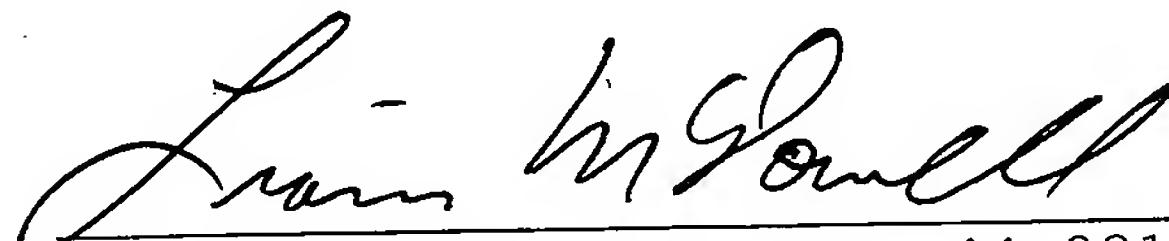
New independent claim 16 also includes limitations similar to that of claim 1 and the analysis above regarding claim 1 is equally applicable to claim 16. Support for the new claims can be found in Figures 3-5, for example.

In view of the present amendment and the foregoing Remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item(s) :

- a terminal disclaimer
- a 37 CFR 1.132 Declaration
- a new or amended Abstract of the Disclosure
- a Replacement Sheet for Figure of the drawings
- a Substitute Specification and a marked-up copy of the originally-filed specification
- a verified English translation of foreign priority document

ABSTRACT OF THE DISCLOSURE

A chamber for the infusion of a medicament. The chamber includes a reservoir, an outer casing having a base wall and a lateral wall, a region for access to the reservoir, and a duct for the diffusion of the medicament. A contour of the base wall is substantially triangular. The casing has a shape tapered in a first direction, and a terminal portion of the diffusion duct extends transversely, and preferably perpendicularly, to the direction of tapering.